

**REMARKS**

Claims 1 through 4 are currently pending in the application.

This amendment is in response to the Office Action of September 18, 2006.

**35 U.S.C. § 103(a) Obviousness Rejections**

**Obviousness Rejection Based on Patraw (U.S. Patent 4,924,353) in view of Elder et al. (U.S. Patent 5,123,850)**

Claims 1 through 4 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Patraw (U.S. Patent 4,924,353) in view of Elder et al. (U.S. Patent 5,123,850). Applicants respectfully traverse this rejection, as hereinafter set forth.

Applicants assert that to establish a *prima facie* case of obviousness under 35 U.S.C. § 103 three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Third, the cited prior art reference must teach or suggest all of the claim limitations. Furthermore, the suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on Applicants' disclosure.

After carefully considering the cited prior art, the rejections, and the Examiner's comments, Applicants have amended the claimed invention to clearly distinguish over the cited prior art.

Applicants assert that any combination of the Patraw reference in view of the Elder et al. reference does not and cannot establish a *prima facie* case of obviousness regarding the claimed invention of presently amended independent claim 1 under 35 U.S.C. § 103 because any combination of the Patraw reference in view of the Elder et al. reference does not teach or suggest all the claim limitations. Applicants assert that any combination of the Patraw reference in view of the Elder et al. reference does not teach or suggest the claim limitation of presently amended independent claim 1 calling for "providing a wafer having a plurality of semiconductor die thereon, each semiconductor die having a plurality of bond pads" and "placing the wafer, in a

desired orientation, between the first plate and the second rigid plate with the plurality of contact elements on the second rigid plate engaging corresponding locations of the plurality of bond pads of the semiconductor die on the wafer, the second rigid plate receiving the wafer therein”.

Applicants assert that any combination of the Patraw reference in view of the Elder et al. reference teaches or suggests the use of an interposer, called a “chip interface mesa assembly in the Patraw reference, which contacts the bond pads of the semiconductor chip, not the contact elements of the second rigid plate contacting the bond pads of the semiconductor die of the wafer. Therefore, presently amended independent claim 1 is allowable as well as dependent claims 2 through 4 therefrom.

### **Double Patenting Rejections**

Claims 1 through 4 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 through 4 of U.S. Patent 6,737,882 (hereinafter referred to as the '882 patent).

Applicants assert that the analysis employed in an obviousness-type double patenting determination parallels the guide-lines for a 35 U.S.C. § 103(a) rejection and the factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966). These factual inquiries are summarized as follows:

- (A) Determine the scope and content of a patent claim . . . relative to a claim in the application at issue;
- (B) Determine the differences between the scope and content of the patent claim . . . as determined in (A) and the claim in the application at issue;
- (C) Determine the level of ordinary skill in the pertinent art; and
- (D) Evaluate any objective indicia of nonobviousness.

Applicant asserts that any obviousness-type double patenting rejection should make clear:

- (A) The differences between the inventions defined by the conflicting claims---a claim in the patent compared to a claim in the application; and

(B) The reasons why a person of ordinary skill in the art would conclude that the invention defined in the claim > at issue would have been < an obvious variation of the invention defined in a claim in the patent. M.P.E.P. § 804 II. B. 1. Obviousness-Type

Applicants request that, at the least, a comparison of the currently pending independent claim 1 to any asserted corresponding independent claim of the '882 patent be made pointing out the differences between the inventions defined by the conflicting claims---a claim in the patent compared to a claim in the application---so that Applicants can respond accordingly. Applicants further request that reasons be set forth why a person of ordinary skill in the art would conclude that the invention defined in the claim at issue would have been an obvious variation of the invention defined in a claim in the '882 patent. Applicants request such a comparison and statement of reasons to be based on such factual inquiries as set forth above as well as any conclusions from such factual inquiries. Applicant asserts that no obviousness-type double patenting exists between claims 1 through 4 of the present application and claims 1 through 4 of the '882 patent without a claim by claim comparison and reasons based upon a factual finding. Accordingly, absent such a comparison of conflicting claims and reasons, Applicants assert that claims 1 through 4 are allowable.

Claims 1 through 4 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 through 4 of U.S. Patent 6,535,012 (hereinafter referred to as the '012 patent).

Applicants assert that the analysis employed in an obviousness-type double patenting determination parallels the guide-lines for a 35 U.S.C. § 103(a) rejection and the factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966). These factual inquiries are summarized as follows:

(A) Determine the scope and content of a patent claim . . . relative to a claim in the application at issue;

(B) Determine the differences between the scope and content of the patent claim . . . as determined in (A) and the claim in the application at issue;

(C) Determine the level of ordinary skill in the pertinent art; and

(D) Evaluate any objective indicia of nonobviousness.

Applicant asserts that any obviousness-type double patenting rejection should make clear:

(A) The differences between the inventions defined by the conflicting claims---a claim in the patent compared to a claim in the application; and

(B) The reasons why a person of ordinary skill in the art would conclude that the invention defined in the claim > at issue would have been < an obvious variation of the invention defined in a claim in the patent. M.P.E.P. § 804 II. B. 1. Obviousness-Type

Applicants request that, at the least, a comparison of the currently pending independent claim 1 to any asserted corresponding independent claim of the '012 patent be made pointing out the differences between the inventions defined by the conflicting claims---a claim in the patent compared to a claim in the application---so that Applicants can respond accordingly. Applicants further request that reasons be set forth why a person of ordinary skill in the art would conclude that the invention defined in the claim at issue would have been an obvious variation of the invention defined in a claim in the '012 patent. Applicants request such a comparison and statement of reasons to be based on such factual inquiries as set forth above as well as any conclusions from such factual inquiries. Applicant asserts that no obviousness-type double patenting exists between claims 1 through 4 of the present application and claims 1 through 4 of the '012 patent without a claim by claim comparison and reasons based upon a factual finding. Accordingly, absent such a comparison of conflicting claims and reasons, Applicants assert that claims 1 through 4 are allowable.

Claims 1 through 4 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 through 5 of U.S. Patent Application 6,091,254 (hereinafter referred to as the '254 patnet).

Applicants assert that the analysis employed in an obviousness-type double patenting determination parallels the guide-lines for a 35 U.S.C. § 103(a) rejection and the factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966). These factual inquiries are summarized as follows:

(A) Determine the scope and content of a patent claim . . . relative to a claim in the application at issue;

(B) Determine the differences between the scope and content of the patent claim . . . as determined in (A) and the claim in the application at issue;

(C) Determine the level of ordinary skill in the pertinent art; and

(D) Evaluate any objective indicia of nonobviousness.

Applicant asserts that any obviousness-type double patenting rejection should make clear:

(A) The differences between the inventions defined by the conflicting claims---a claim in the patent compared to a claim in the application; and

(B) The reasons why a person of ordinary skill in the art would conclude that the invention defined in the claim > at issue would have been < an obvious variation of the invention defined in a claim in the patent. M.P.E.P. § 804 II. B. 1. Obviousness-Type

Applicants request that, at the least, a comparison of the currently pending independent claim 1 to any asserted corresponding independent claim of the '254 patent be made pointing out the differences between the inventions defined by the conflicting claims---a claim in the patent compared to a claim in the application---so that Applicants can respond accordingly. Applicants further request that reasons be set forth why a person of ordinary skill in the art would conclude that the invention defined in the claim at issue would have been an obvious variation of the invention defined in a claim in the '254 patent. Applicants request such a comparison and statement of reasons to be based on such factual inquiries as set forth above as well as any conclusions from such factual inquiries. Applicant asserts that no obviousness-type double patenting exists between claims 1 through 4 of the present application and claims 1 through 4 of the '254 patent without a claim by claim comparison and reasons based upon a factual finding. Accordingly, absent such a comparison of conflicting claims and reasons, Applicants assert that claims 1 through 4 are allowable.

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Applicants submit that claims 1 through 4 are clearly allowable over the cited prior art.

Applicants request the allowance of claims 1 through 4 and the case passed for issue.

Respectfully submitted,



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